

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CHARLENE CARTER,

Plaintiff,

v.

SOUTHWEST AIRLINES CO., AND
TRANSPORT WORKERS UNION
OF AMERICA LOCAL 556,

Defendants.

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Civil Action No. 03:17-cv-02278-X

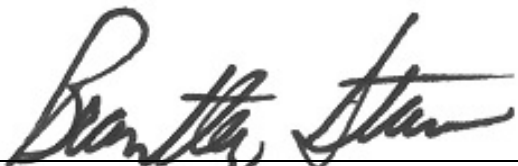
ORDER

On July 8, 2020, defendant Southwest Airlines Co. (“Southwest”) filed a motion for sanctions arguing that plaintiff Charlene Carter and her counsel, Matthew Gilliam, violated the law when they allegedly acquired misappropriated confidential information to determine the whereabouts of a Southwest flight attendant [Doc. No. 100]. Southwest in its motion requests this Court (1) to compel Carter, Gilliam, and anyone else associated with representing Carter to disclose who provided this allegedly confidential information and disclose all documents and communications related to the acquisition of this data; (2) to refer this matter to the Texas and Virginia disciplinary authorities for willful ethical violations; (3) to reevaluate Gilliam’s admission to this Court *pro hac vice*; and (4) to order Carter or Gilliam to pay Southwest’s costs and fees associated with this motion. Carter in her response denies Southwest’s allegations and requests this Court award her attorney’s fees for having to respond to this motion [Doc. No. 104]. Carter has also filed a motion for leave to

file a sur-reply [Doc. No. 108]. After these motions were filed, the Court ordered Carter and Gilliam to submit affidavits to this Court for *in camera* inspection stating all the facts surrounding how they obtained the information at issue, along with an accompanying brief [Doc. No. 113].

After reviewing the submitted affidavits and all the briefing related to this matter, the Court hereby **DENIES** Southwest's motion for sanctions. The Court further **DENIES** Carter's request to be awarded attorney's fees for having to respond to Southwest's motion. Lastly, the Court **DISMISSES AS MOOT** Carter's motion for leave file a sur-reply.

IT IS SO ORDERED this 2nd day of September, 2020.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE